

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

THE HONORABLE TERRY PETTEWAY, <i>et al</i> ,	§	
	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. G-11-511
	§	
THE HONORABLE MARK HENRY, <i>et al</i> ,	§	
	§	
Defendants.	§	

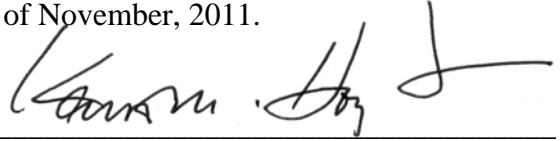
**ORDER DENYING THE PLAINTIFFS' MOTION FOR DISTRICT COURT  
OF THREE JUDGES**

The plaintiffs have filed this action alleging violations of federal law including claims arising under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c. The plaintiffs filed an application for the designation of a district court of three judges as to its Section 5 claims. The Court determines, after a conference with counsel for both sides, the following:

- a) Galveston County is a jurisdiction subject to the Section 5 preclearance requirements of the Voting Rights Act, 42 U.S.C. § 1973c.
- b) This case relates to the adoption of districts for the Galveston County Commissioners, Constables and Justices of the Peace. Galveston County submitted its request for preclearance to Department of Justice (DOJ) on or about October 14, 2011 (for County Commissioners) and on or about October 19, 2011, (for Constables and Justices of the Peace).
- c) The plaintiffs are submitting additional information to the DOJ regarding the Galveston County request for preclearance, disputing the constitutionality of the Plan.

In light of these undisputed facts, the appointment of a three judge panel is unnecessary. Therefore, the motion is Denied.

SIGNED at Houston, Texas this 21st day of November, 2011.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Kenneth M. Hoyt  
United States District Judge